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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/633,713

08/04/2003

Antonio J. Montalvo

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5691

2101

7590

05/17/2006

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EXAMINER

PHAM, TUAN

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/633,713	Applicant(s) MONTALVO, ANTONIO J.	
	Examiner TUAN A. PHAM	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/14/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement (IDS) submitted on 07/14/2005 has been considered by Examiner and made of record in the application file.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 7-10, 13-16, and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cygan et al. (U.S. Patent No.: 5,574,992, hereinafter, "Cygan") in view of Valentine et al. (U.S. Patent No.: 5,748,678, hereinafter, "Valentine").

Regarding claims 1, 7, 13, and 19, Cygan teaches a method and a radio transmission power control circuit comprising (see figure 1):

a radio frequency quadrature downconverter (see figure 1, quadrature downconverter 118) that produces a quadrature downconverter output (see output 120, and output 122, col.2, ln.16-30) having a frequency equal to the frequency difference between a first quadrature downconverter input (see figure 1, input at coupler 112 to downconverter 118) based on a transmitted signal of a radio transmitter (see figure 1,

TX side at power amplifier 110) and a second quadrature downconverter input based on a local oscillator signal (see figure 1, second input from LO inside the loop phase adjust circuit 124); and

a feedback control circuit (see figure 1, loop phase adjust circuit 124) that produces a transmitter gain control signal to control transmitted signal power so as to minimize the difference between the power signal and a power reference signal (see figure 1, loop phase adjust circuit 124 control the variable gain amplifier 136, 144 adjust the power transmission in the transmitter, col.2, ln.15-60).

It should be noticed that Cygan fails to teach a receiver baseband circuit that processes the downconverter output to produce a power signal representative of the transmitted signal. However, Valentine teaches such features (see figure 2, downconverter 42, receiver baseband processing 30, col.3, ln.25-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Valentine into view of Cygan in order to improve the power output as suggested by Valentine at col.2, ln.11-20.

**Regarding claims 2, 8, 14, and 20**, Cygan further teaches the radio transmitter is part of a half-duplex radio transceiver also having a receiver circuit such that the receiver baseband circuit is used by the receiver circuit when the radio transmitter is inactive, and wherein the local oscillator signal is used by the radio transmitter such that the transmitted signal has a frequency determined by the local oscillator signal (see figure 1, col.5, ln.25-52, the TX section is half duplex when transmit the signal).

**Regarding claims 3, 9, 15, and 21**, Valentine further teaches an analog-to-digital converter that converts the power signal to a representative digital power signal (see figure 2, A/D 44); and Cygan teaches the feedback control circuit produces the transmitter gain control signal so as to minimize the difference between the digital power signal and the power reference signal (see figure 1, loop phase adjust circuit 124 control the variable gain amplifier 136, 144 adjust the power transmission in the transmitter, col.2, ln.15-60).

**Regarding claims 4, 10, 16, and 22**, Cygan further teaches the first quadrature downconverter input is developed by a directional coupler that senses the transmitted signal (see figure 1, coupler 112, quadrature downconverter 118, col.2, 20-30).

**4. Claims 5-6, 11-12, 17-18, and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cygan et al. (U.S. Patent No.: 5,574,992, hereinafter, "Cygan") in view of Valentine et al. (U.S. Patent No.: 5,748,678, hereinafter, "Valentine") as applied to claims 1, 7, 13, and 19 above, and further in view of Haartsen (Pub. No.: U.S. 2005/0048985).**

**Regarding claims 5, 11, 17, and 23**, Cygan and Valentine, in combination, fails to teach WLAN transceiver. However, Haartsen teaches such feature (see claim 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Haartsen into view of Cygan and Valentine in order to communicate between the two device.

**Regarding claims 6, 12, 18, and 24**, Haartsen further teaches time division duplex (see [0011]).

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although McNicol et al. (U.S. Patent No. 5,170,495), Ha (U.S. Patent No. 6,718,165), Birkett (U.S. Pub. No. 2003/0220086), Petsko et al. (U.S. Patent No. 6,018,650), Whitmarsh et al. (US Patent No.: 5,381,108), and Nielsen (US Pub. No.: 2006/0063497) are not applied into this Office Action; they are also called to Applicants attention. They may be used in future Office Action(s).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Pham whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have question on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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May 12, 2006

Examiner

A handwritten signature in black ink, appearing to read 'Tuan Pham', with a long horizontal flourish extending to the right.

Tuan Pham

Supervisory Patent Examiner

Technology Center 2600

A handwritten signature in black ink, appearing to read 'Matthew Anderson', with a long horizontal flourish extending to the right.

Matthew Anderson